



General Assembly

Amendment

February Session, 2016

LCO No. 5303



Offered by:
SEN. FASANO, 34th Dist.

To: House Bill No. 5378

File No. 741

Cal. No. 521

"AN ACT CONCERNING THE STANDARD RATE OF WAGES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 17b-112 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2016*):

5 (a) The Department of Social Services shall administer a temporary
6 family assistance program under which cash assistance shall be
7 provided to eligible families in accordance with the temporary
8 assistance for needy families program, established pursuant to the
9 Personal Responsibility and Work Opportunity Reconciliation Act of
10 1996. The Commissioner of Social Services may operate portions of the
11 temporary family assistance program as a solely state-funded
12 program, separate from the federal temporary assistance for needy
13 families program, if the commissioner determines that doing so will
14 enable the state to avoid fiscal penalties under the temporary
15 assistance for needy families program. Families receiving assistance

16 under the solely state-funded portion of the temporary family
17 assistance program shall be subject to the same conditions of eligibility
18 as those receiving assistance under the federal temporary assistance for
19 needy families program. Under the temporary family assistance
20 program, benefits shall be provided to a family for not longer than
21 twenty-one months, except as provided in subsections (b) and (c) of
22 this section. For the purpose of calculating said twenty-one-month
23 time limit, months of assistance received on and after January 1, 1996,
24 pursuant to time limits under the aid to families with dependent
25 children program, shall be included. For purposes of this section,
26 "family" means one or more individuals who apply for or receive
27 assistance together under the temporary family assistance program. If
28 the commissioner determines that federal law allows individuals not
29 otherwise in an eligible covered group for the temporary family
30 assistance program to become covered, such family may also, at the
31 discretion of the commissioner, be composed of (1) a pregnant woman,
32 or (2) a parent, both parents or other caretaker relative and at least one
33 child who is under the age of eighteen, or who is under the age of
34 nineteen and a full-time student in a secondary school or its
35 equivalent. A caretaker relative shall be related to the child or children
36 by blood, marriage or adoption or shall be the legal guardian of such a
37 child or pursuing legal proceedings necessary to achieve guardianship.
38 If the commissioner elects to allow state eligibility consistent with any
39 change in federal law, the commissioner may administratively transfer
40 any qualifying family cases under the cash assistance portion of the
41 state-administered general assistance program to the temporary family
42 assistance program without regard to usual eligibility and enrollment
43 procedures. If such families become an ineligible coverage group
44 under the federal law, the commissioner shall administratively transfer
45 such families back to the cash assistance portion of the state-
46 administered general assistance program without regard to usual
47 eligibility and enrollment procedures to the degree that such families
48 are eligible for the state program.

49 (b) The Commissioner of Social Services shall exempt a family from

50 such time-limited benefits for circumstances including, but not limited
51 to: (1) A family with a needy caretaker relative who is incapacitated or
52 of an advanced age, as defined by the commissioner, if there is no
53 other nonexempt caretaker relative in the household; (2) a family with
54 a needy caretaker relative who is needed in the home because of the
55 incapacity of another member of the household, if there is no other
56 nonexempt caretaker relative in the household; (3) a family with a
57 caretaker relative who is not legally responsible for the dependent
58 children in the household if such relative's needs are not considered in
59 calculating the amount of the benefit and there is no other nonexempt
60 caretaker relative in the household; (4) a family with a caretaker
61 relative caring for a child who is under one year of age and who was
62 born not more than ten months after the family's enrollment if there is
63 no other nonexempt caretaker relative in the household; (5) a family
64 with a pregnant or postpartum caretaker relative if a physician has
65 indicated that such relative is unable to work and there is no other
66 nonexempt caretaker relative in the household; (6) a family with a
67 caretaker relative determined by the commissioner to be unemployable
68 and there is no other nonexempt caretaker relative in the household;
69 and (7) minor parents attending and satisfactorily completing high
70 school or high school equivalency programs.

71 (c) A family who is subject to time-limited benefits may petition the
72 Commissioner of Social Services for six-month extensions of such
73 benefits. The commissioner shall grant not more than two extensions to
74 such family who has made a good faith effort to comply with the
75 requirements of the program and despite such effort has a total family
76 income at a level below the payment standard, or has encountered
77 circumstances preventing employment including, but not limited to:
78 (1) Domestic violence or physical harm to such family's children; or (2)
79 other circumstances beyond such family's control. The commissioner
80 shall disregard ninety dollars of earned income in determining
81 applicable family income. The commissioner may grant a subsequent
82 six-month extension if each adult in the family meets one or more of
83 the following criteria: (A) The adult is precluded from engaging in

84 employment activities due to domestic violence or another reason
85 beyond the adult's control; (B) the adult has two or more substantiated
86 barriers to employment including, but not limited to, the lack of
87 available child care, substance abuse or addiction, severe mental or
88 physical health problems, one or more severe learning disabilities,
89 domestic violence or a child who has a serious physical or behavioral
90 health problem; (C) the adult is working thirty-five or more hours per
91 week, is earning at least the minimum wage and continues to earn less
92 than the family's temporary family assistance payment standard; or
93 (D) the adult is employed and works less than thirty-five hours per
94 week due to (i) a documented medical impairment that limits the
95 adult's hours of employment, provided the adult works the maximum
96 number of hours that the medical condition permits, or (ii) the need to
97 care for a disabled member of the adult's household, provided the
98 adult works the maximum number of hours the adult's caregiving
99 responsibilities permit. Families receiving temporary family assistance
100 shall be notified by the department of the right to petition for such
101 extensions. Notwithstanding the provisions of this section, the
102 commissioner shall not provide benefits under the state's temporary
103 family assistance program to a family that is subject to the [twenty-one
104 month] twenty-one-month benefit limit and has received benefits
105 beginning on or after October 1, 1996, if such benefits result in that
106 family's receiving more than sixty months of time-limited benefits
107 unless that family experiences domestic violence, as defined in Section
108 402(a)(7)(B), P.L. 104-193. For the purpose of calculating said sixty-
109 month limit: (I) A month shall count toward the limit if the family
110 receives assistance for any day of the month, and (II) a month in which
111 a family receives temporary assistance for needy families benefits that
112 are issued from a jurisdiction other than Connecticut shall count
113 toward the limit.

114 (d) Under said program (1) no family shall be eligible that has total
115 gross earnings exceeding the federal poverty level, however, in the
116 calculation of the benefit amount for eligible families and previously
117 eligible families that become ineligible temporarily because of receipt

118 of workers' compensation benefits by a family member who
119 subsequently returns to work immediately after the period of receipt of
120 such benefits, earned income shall be disregarded up to one hundred
121 fifty per cent of the federal poverty level; and (2) the increase in
122 benefits to a family in which an infant is born after the initial ten
123 months of participation in the program shall be limited to an amount
124 equal to fifty per cent of the average incremental difference between
125 the amounts paid per each family size. Except when determining
126 eligibility for a six-month extension of benefits pursuant to subsection
127 (c) of this section, the commissioner shall disregard the first fifty
128 dollars per month of income attributable to current child support that a
129 family receives in determining eligibility and benefit levels for
130 temporary family assistance. Any current child support in excess of
131 fifty dollars per month collected by the department on behalf of an
132 eligible child shall be considered in determining eligibility but shall
133 not be considered when calculating benefits and shall be taken as
134 reimbursement for assistance paid under this section, except that when
135 the current child support collected exceeds the family's monthly award
136 of temporary family assistance benefits plus fifty dollars, the current
137 child support shall be paid to the family and shall be considered when
138 calculating benefits.

139 (e) A family receiving assistance under said program shall cooperate
140 with child support enforcement, under title IV-D of the Social Security
141 Act. A family shall be ineligible for benefits for failure to cooperate
142 with child support enforcement.

143 (f) A family leaving assistance at the end of (1) said twenty-one-
144 month time limit, including a family with income above the payment
145 standard, or (2) the sixty-month limit shall have an interview for the
146 purpose of being informed of services that may continue to be
147 available to such family, including employment services available
148 through the Labor Department. Said interview shall contain a
149 determination of benefits available to said family provided by the
150 Department of Social Services. Said interview shall also include a
151 determination of whether such family is eligible for supplemental

152 nutrition assistance or Medicaid. Information and referrals shall be
153 made to such a family for services and benefits including, but not
154 limited to, the earned income tax credit, rental subsidies emergency
155 housing, employment services and energy assistance.

156 (g) Notwithstanding the provisions of subsection (d) of this section,
157 a family receiving assistance under said program during the twenty-
158 one-month time period shall continue to receive assistance during such
159 twenty-one-month time period when a family member becomes
160 employed, provided the sum of the family member's wages and such
161 assistance shall not exceed one hundred fifty per cent of the federal
162 poverty level.

163 (h) Any member of a family leaving assistance at the end of (1) the
164 twenty-one-month time limit, including a family with income above
165 the payment standard, or (2) the sixty-month limit, who was not
166 employed during the period such family received assistance shall
167 receive a one-time benefit of one thousand dollars from the program
168 upon securing employment.

169 [(g)] (i) An applicant or recipient of temporary family assistance
170 who is adversely affected by a decision of the Commissioner of Social
171 Services may request and shall be provided a hearing in accordance
172 with section 17b-60.

173 Sec. 2. Subsection (f) of section 31-273 of the general statutes is
174 repealed and the following is substituted in lieu thereof (*Effective*
175 *October 1, 2016*):

176 (f) Any person who knowingly makes a false statement or
177 representation or fails to disclose a material fact in order to obtain,
178 increase, prevent or decrease any benefit, contribution or other
179 payment under this chapter, or under any similar law of another state
180 or of the United States in regard to which this state acted as agent
181 pursuant to an agreement authorized by section 31-225, whether to be
182 made to or by himself or herself or any other person, and who receives
183 any such benefit, pays any such contribution or alters any such

184 payment to his or her advantage by such fraudulent means [(1)] shall
185 be guilty of a class A misdemeanor. [if such benefit, contribution or
186 payment amounts to five hundred dollars or less or (2) shall be guilty
187 of a class D felony if such benefit, contribution or payment amounts to
188 more than five hundred dollars.] Notwithstanding the provisions of
189 section 54-193, no person shall be prosecuted for a violation of the
190 provisions of this subsection committed on or after October 1, 1977,
191 except within five years next after such violation has been committed."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	17b-112
Sec. 2	October 1, 2016	31-273(f)